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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/768,190	02/02/2004	Stephane Bertaux	MERCK-2826

23599
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2203 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

CASE _____

ACTION MISSING parts Due

DUE DATE 6/30/04 or

CONFIRMATION NO. 3655

FORMALITIES LETTER



OC000000012494963

Date Mailed: 04/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$126** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1026** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/31/2004 SZEWDIE1 00000081 10768190

01 FC:1001	770.00 DP
02 FC:1051	130.00 DP
03 FC:1202	126.00 DP

CASE _____

ACTION _____

DUE DATE _____

- Total additional claim fee(s) for this application is **\$126**
 - \$126 for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



In re Application of:

Stephane BERTAUX et al.

Group Art Unit 1755

Serial No.: 10/768,190

Examiner: unknown

Filed: 2 February 2004

For: PEARLESCENT PIGMENTS BASED ON SELECTIVELY ABSORBING LAYERS OF CHALCOGENIDE, OXYCHALCOGENIDE AND MIXED MHALCOGENIDES

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts dated April 30, 2004:

- Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$130.00
- Applicant(s) include the filing fee of \$770.00.
- Applicant(s) include the extra claims fee of \$ 126.00 for 7 claims in excess of 20 \$18 per additional claim.
- Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 32441).
- Attached is a copy of the Notice to File Missing Parts.
- Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of two months along with the fee of \$420.00.
- Applicant(s) are entitled to small entity status.
- Attached is a verified English translation of the language text filed on along with the fee of \$130.00.
- Applicant(s) provide the title of the invention/inventor(s) name(s) and address(es) on the attached provisional application cover sheet along with the \$50/\$25 surcharge.

- Attached is the Sequence Disclosure as required.
- Attached is the Substitute Specification as required.
- Attached are the substitute drawings as required.
- Attached is an English translation of the application.
- Attached is a certified copy of French Application No. filed on . Acknowledgment of receipt of this document is hereby requested.

Attached is a check in the amount of \$ 1,446.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



John A. Sopp, Reg. No. 33,103
Attorney/Agent for Applicants

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Attorney Docket No.: MERCK-2826

Date: August 30, 2004

JAS:ssr